on a server to read and write data to in the virtual memory related to the remote application

program". With respect, this is not the case. Treating the memory as a local virtual memory is

not analgous to downloading scripts to the mobile station. In fact, later in the claims the step of

downloading scripts to the mobile is recited and this is not the same as treating the memory as a

local virtual memory. In contrast, the idea is that when the mobile station is connected to the

server, various application programs running on the server will operate on data stored at the

mobile station such that in the event the connection is terminated the mobile station will be able

to use that data with its own application programs. The Examiner appears to be equating the

application programs running on the mobile terminal with the virtual memory which is to be

made accessible to both the application running on the terminal when in an off-line mode and

which is to be treated as a local virtual memory by the application running on the server when in

an on-line mode. Please note that a memory which is treated like a local virtual memory is

analgous to a memory which is on the server per se in the sense that the application program

running on the server can read and write and do whatever it wants to with that particular memory.

Thus, the step of the fixed station writing a script to the memory in the mobile station is not

what is contemplated by the claim language.

The Examiner then argues that "operating the mobile station in accordance with

the stored at least one script and receiving a user input to aid in configuring the operating features

of the mobile station to select and implement at least one specific capability indicated in the

terminal capabilities response without further contact with the fixed station" reads on providing a

local application program in the wireless terminal which in an off-line mode has read and write

access to the data in the virtual memory. It is true that Shirai teaches operating the mobile station

in accordance with this script. What it does not teach is that the mobile terminal operates its local application programs and uses the memory which was previously operated as a local virtual memory by the application program running on the server. Thus, there is in fact no memory which is functioning as a virtual memory in the subject matter taught by Shirai, and therefore that reference does not anticipate claim 1. The fact that Shirai is capable of downloading scripts to a mobile station is not analgous to it using a portion of the memory as a local virtual memory.

Claim 28 depends upon claim 27 and is not anticipated for the same reasons. Claim 30 is another independent claim, and the same arguments apply to that claim as they do to claims 32 and 37. The Examiner is respectfully requested to withdraw his rejection under Section 35 U.S.C. 102(e) of claims 27, 28, 30, 32 and 37.

In paragraph 5 of the Detailed Action the Examiner rejects claims 29, 31, 34 and 38 under 35 U.S.C. 103(a) as being unpatentable over Shirai as applied to claim 30 and 37 above and further in view of Helferich (6,087,956).

To begin, the Examiner's characterization of Shirai is incorrect as detailed above. Further, the Examiner has provided no justification whatsoever for the combination of the two references Shirai and Helferich, as specifically required by MPEP Section 2143. Helferich has nothing to do with the problem at hand, instead dealing with a method of reducing paging channel usage. The two references cited by the Examiner do not overlap even in a single international, U.S. class or even in their field of search. They are simply unrelated. The Examiner is required to provide a justification as to why the two references would be considered together.

Furthermore, the selective erasing of a page message by a pager is not analgous to the use of a memory by a wireless terminal while in an off-line mode, then providing updates of modifications to the data to a server. The erasing of a message is not analgous to the treating of a memory by a server as a local virtual memory as claimed in claim 29.

Thus the requirements for a prima facie case of obviousness have not been met by the Examiner's rejection

The Examiner is respectfully requested to withdraw his rejection of claims 29, 31, 34 and 38 under 35 U.S.C. 103(a).

The Examiner has rejected claims 35 and 36 in paragraph 6 of the Detailed Action. These claims have been cancelled rendering this rejection moot.

Favourable consideration and allowance is requested.

In the event there are any outstanding issues, the Examiner is respectfully requested to telephone the undersigned at (613) 232-2486 extension 323.

Respectfully submitted,

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